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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/476,419	12/30/1999	EDWARD B. EYTCHISON	SONY-50M2430	7826
7590	12/21/2004		EXAMINER	
WAGNER MURABITO & HALO LLP TWO NORTH MARKET STREET THIRD FLOOR SAN JOSE, CA 95113			BLAIR, DOUGLAS B	
			ART UNIT	PAPER NUMBER
			2142	

DATE MAILED: 12/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/476,419	EYTCHISON, EDWARD B.	
	Examiner	Art Unit	
	Douglas B Blair	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 25 August 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-42 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. In view of the Appeal Brief filed on 8/25/2004, PROSECUTION IS HEREBY REOPENED. A new grounds of rejection is set forth below.
2. To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

3. Applicant's arguments with respect to claims 1-42 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,442,608 to Knight et al. in view of U.S. Patent Number 6,239,466 to Zondag.

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6. As to claim 1, Knight teaches a method of operating a plurality of devices interconnected to form a network, said method comprising: configuring a resource manager of said network with an access policy during network initialization wherein said access policy dictates a condition under which a particular service request is permissible to a user (col. 23, lines 25-63); receiving a service request indicating an identity of a user; based on said identity, said resource manager determining whether said service request violates said access policy (col. 23, lines 25-63); provided the service request is permissible, said resource manager determining whether resources of said network necessary for carrying out said service request are available (col. 23, lines 25-63); and provided the resources necessary for carrying out a service request are available, a resource manager transmitting control signals to a network causing said plurality of devices to carry out a service request (col. 23, lines 25-63); however, Knight does not explicitly teach the devices being consumer electronics devices.

Zondag teaches a method for managing access to a plurality of consumer electronics devices (col. 6, lines 25-55).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Knight regarding the management of resources in a network with the teachings of Zondag regarding a consumer electronic system because consumer electronics are gaining the ability to communicate digitally (Zondag, col. 1, lines 19-29).

7. As to claim 2, Knight teaches a method comprising the step of returning a failure message to a user when a service request violates an access policy (col. 24, lines 47-65).

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8. As to claim 3, Knight teaches maintaining a record of user activities (col. 23, lines 25-63).

9. As to claim 4, Knight teaches a step of retrieving a record of activities of a user from a log database provided an access policy is dependent on user activities (col. 23, lines 25-63).

10. As to claim 5, Knight teaches a method of communicating user identification information of a user to a server (col. 23, lines 25-63); authenticating the user identification information (col. 23, lines 25-63); and provided user identification information is unauthenticated, denying said user access to resources of the network (col. 23, lines 25-63).

11. As to claim 6, Zondag teaches a method wherein resources comprises hard resources and soft resources, and wherein the hard resources comprise a plurality of types of consumer electronic devices and wherein the soft resources comprise content information accessible by the plurality of types of consumer electronic devices (col. 4, lines 21-28).

12. As to claim 7, Zondag teaches method wherein determining whether resources of a network necessary for carrying out a service request are available comprises the step of accessing a resource pool, wherein said resource pool contains information regarding availability of said hard resources (col. 10, lines 10-32).

13. As to claim 8, Knight teaches a method wherein an access policy is stored in a policy database accessible by a resource manager (col. 23, lines 25-63).

14. As to claims 9-16, they feature the same limitations as claims 1-8 are rejected on the same basis as claims 1-8.

15. As to claims 17-23, they feature the same limitations as claims 1-7 and are rejected on the same basis as claims 1-7.

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16. Claims 24-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,005,861 to Humpleman in view of U.S. Patent Number 6,567,979 to deCarmo.

17. As to claim 24, Humpleman teaches a method of operating a network comprising consumer electronic devices, comprising the acts of: receiving a request from a user of a network, wherein the request comprises a request for output of a media content item (col. 9, line 44-col. 10, lines 14); and outputting the media content item if the user is permitted to receive the media content item and if an electronic device of the network is available to output the media content item (col. 9, line 44-col. 10, lines 14); however Humpleman does not explicitly teach the user specifying a source providing the media content item to the network and without the user specifying an electronic device of the network for the output.

DeCarmo teaches a user specifying a source providing the media content item to the network and without the user specifying an electronic device of the network for the output (col. 6, lines 18-39).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Humpleman regarding a consumer electronics system with the teachings of DeCarmo regarding specifying a source for providing media content because such a system allows a user to access many devices over a network (DeCarmo, col. 3, lines 1-30).

18. As to claim 25, Humpleman teaches the network comprising a home network comprising consumer electronic devices (col. 9, line 44-col. 10, lines 14).

19. As to claim 26, DeCarmo teaches a request comprising a request for output at a particular location (col. 6, lines 18-39).

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20. As to claim 27, DeCarmo teaches media content item comprising audio and video (col. 6, lines 18-39).
21. As to claim 28, Humpleman teaches a method wherein the media content item comprises a first media content item, and further comprising the acts of: receiving, during output of the first media content item, a second request from a second user of the network, wherein the second request comprises a request for output of a second media content item without the second user specifying a source providing the second media content item to the network and without the second user specifying an electronic device for the output (col. 9, line 44-col. 10, lines 14); and outputting during output of the first media content item, the second media content item if the second user is permitted to receive the second media content item and if a second electronic device of the network is available to output the second media content item (col. 9, line 44-col. 10, lines 14).
22. As to claim 29, Humpleman teaches the network comprising a home network comprising consumer electronic devices (col. 9, line 44-col. 10, lines 14).
23. As to claim 30, Humpleman teaches the act of using a single functional manager to receive the first and the second requests (col. 9, line 44-col. 10, lines 14).
24. As to claim 31, Humpleman teaches a request for output of the first media content item comprising a request that the first media content item be output at a first location, and wherein the request for output of the second media content item comprising a request that the second media content item be output at a second location (col. 9, line 44-col. 10, lines 14).
25. As to claim 32, DeCarmo teaches a method wherein first and second media content items each comprise audio and video (col. 6, lines 18-39).

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26. As to claims 33-40, they feature the same limitations as claims 24-32 and are rejected on the same basis as claims 24-32.

27. As to claim 41, DeCarmo teaches a method wherein a network comprises a plurality of devices capable of acting as a source for a media content item (col. 5, lines 17-26).

28. As to claim 42, it features the same limitations as claim 41 and is rejected for the same reasons as claim 41.

Conclusion

29. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas B Blair whose telephone number is 571-272-3893. The examiner can normally be reached on 8:30am-5pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 571-272-3896. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3800.

Douglas Blair
December 13, 2004

DBB

Jack Harvey
JACK B. HARVEY
SUPERVISORY PATENT EXAMINER